S.B.CRIMINAL MISC. BAIL APPLICATION NO.2563/2006

Date : 05.07.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. Harish Purohit for the applicants.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.
Mr. Dhirendra Singh for complainant.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State assisted by learned counsel for the complainant and carefully gone through the case diary and the impugned order.

The contention of learned counsel for the applicants is that the present case has been lodged against the accused applicants on account of enmity between the parties as civil suits are pending in relation to some land. He further submits that applicant No.1 Smt. Bhanwar Kanwar is 68 years of age, applicant No.3 Smt. Rukma Kanwar is pregnant and applicant No.2 Smt Basu Kanwar having small kids, therefore, in view of provisions of the Code of Criminal Procedure, they may be granted benefit of anticipatory bail.

On the other hand, learned Public Prosecutor has opposed the bail application and submits that accused applicants are responsible for causing injury to the injured persons.

I have considered the submissions made before me and perused the material available on record.

Taking into consideration overall facts and circumstances of the present case, I think it just and proper to grant anticipatory bail to the applicants. Accordingly, it is directed that in the event of arrest of applicants (1) Bhanwar kanwar wife of Ugam Singh (2) Basu Kanwar wife of Gopal Singh and (3) Rukma Kanwar wife of Mahendra Singh by I.O./S.H.O.in CR No.30/2006 P.S. Choti Khatu, District nagau, they shall be released on bail provided each of them furnishes a personal bond in the sum of Rs.30,000/- alongwith two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of Investigating Officer on the following conditions:-

(i) That they shall make themselves available for interrogation by a police officer as and when required;

(ii) That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii) That they shall not leave India without the previous permission of the Court.

(SATYA PRAKASH PATHAK), J.